

ABSTRACT

Public Servants – Allegation of corruption against Sri Annepu Krishna Rao S/o Late Ammadu, Superintending Engineer –II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam and two others – Trapped on 07.03.2011 – Sanction of prosecution – Orders – Issued.

G.O.Ms.No. 102

Dated:11.03.2014

ORDER:

Whereas, Sri Annepu Krishna Rao S/o Late Ammadu, 50 years, worked as Superintending Engineer-II (works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam from 08.05.2010 to 07.03.2011 and by virtue of the post held by him, he falls under the category of Public Servant as defined under clause (C) of section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. And whereas, Sri Pyla Krishna Rao, S/o Satyanarayana, 44 years, Partner of Pyla Constructions, Visakhapatnam, got contract work in Greater Visakhapatnam Municipal Corporation i.e., "Construction of compound wall at Kaniti SC Colony (Ambedkar Colony) in Ward No.53 of Gajuwaka Zone" through tender. The code number of the said work is 2009-Eng-05.53.106 and estimation value is Rs.12.93.000/-. He got that work for Rs.8,88,600/- Sri Pyla Krishna Rao entered into an agreement with Greater Visakhapatnam Municipal Corporation, authorities vide agreement No.53/10-11/EE-V, dated 29.05.10 and he completed the said work about 2 months prior to report. After completion of the said work, the concerned Assistant Engineer of Greater Visakhapatnam Municipal Corporation, measured the said work and entered in his M.Book. Later, the concerned Deputy Executive Engineer check measured the said work. Then the Assistant Engineer prepared the bill and sent to concerned Executive Engineer. Then the bill was sent to Drawing Section for scrutiny. The said bill, after thorough scrutiny by the Assistant Technical Officer/Draughtsman, returned back to Executive Engineer-V. Then the concerned Executive Engineer, after verification, put his signature and sent to the Superintending Engineer on 23.02.2011 to approve the bill and sent to Chief Engineer, for forwarding the same to Budget and Audit Sections. On 23.02.2011 evening, Sri Simma Vishnu Murthy, Mazdoor / in-charge Work Inspector received the said bill at the office of SE-II (Works), entered the same in the Bill Register and sent the same to the Private Assistant to Superintending Engineer. On 24.02.2011, the Private Assistant to Superintending Engineer verified the bill and put his signature on the Bill Register and placed the same before the Superintending Engineer-II Works for his approval. Having learnt that the Superintending Engineer-II (Works) did not approve his bill, Sri Pyla Krishna Rao met the concerned Sri Annepu

Krishna Rao Superintending Engineer-II (Works) at his office in the last week of February 2011 and requested him to approve his bill. On that, the Sri Annepu Krishna Rao Superintending Engineer-II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam informed Sri Pyla Krishna Rao that he got his works done without paying bribe, in previous occasions and he would not approve his bill unless he would pay the bribe and demanded to pay an amount of Rs.14,000/- as a bribe. Sri Pyla Krishna Rao requested that he had not that much of money and he would pay the amount after receipt of bill amount. Sri A.Krishna Rao Superintending Engineer-II (Works) paid deaf ear and threatened that he would not approve the bill unless the Sri Pyla Krishna Rao again met Sri Annepu Krishna Rao Superintending Engineer-II on 01.03.2011 at his office and asked him about his bill approval. On that, Sri Annepu Krishna Rao categorically stated that he would not approve and sent the bill to the Chief Engineer unless the demanded bribe amount of Rs.14,000/- was paid. As there was no other way, Sri Pyla Krishna Rao agreed for the demand of Sri A.Krishna Rao and informed him that he would adjust the said bribe amount with in a week. Then Sri Annepu Krishna Rao directed him to bring the bribe amount, on the next Monday i.e., on 07.03.2011. But, Sri Pyla Krishna Rao was not willing to get his work done by paying bribe amount to Sri Annepu Krishna Rao. On 05.03.2011. Sri Annepu Krishna Rao, Superintending Engineer-II (Works), in order to pressurize the complainant to pay the demanded bribe amount, intentionally, handed over the bill to the Assistant Engineer Sri Venugopala Rao, orally with out following the proper procedure to return the bill.

3. And whereas, since, he was not willing to give the bribe amount to Sri Annepu Krishna Rao to get his work done, he lodged a written complaint on 06.03.2011, before Deputy Superintendent of Police, Anti Corruption Bureau, Visakhapatnam to take necessary action against Sri A.Krishna Rao, Superintending Engineer-II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

4. And whereas, the Deputy Superintendent of Police, Anti Corruption Bureau, Visakhapatnam after due verification registered the complaint of complainant as a case Crime No.06/RCT-VSP/2011 under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) at 14.00 hours on 07.03.2011 and investigated into the matter;

5. And whereas, during the course of trap, at about 4.45 p.m. on 07.03.2011, Sri Pyla Krishna Rao went into the office room of Sri Annepu Krishna Rao, and enquired about the approval of his Bill. Then Sri A. Krishna Rao, Superintending Engineer-II (Works) enquired with the complainant about his demanded bribe amount. The complainant replied him that he brought the demanded bribe amount and produced before him. Then Sri

Annepu Krishna Rao instructed the complainant to handover the said amount to the Sri Simma Vishnu Murthy, Mazdoor/in-charge Work Inspector and so saying pressed the buzzer. Immediately, Sri Simma Vishnu Murthy came to the office room of Sri Annepu Krishna Rao, Superintending Engineer-II (Works). Sri A.Krishna Rao, Superintending Engineer-II (Works) instructed to Sri Simma Vishnu Murthy to receive the bribe amount from the complainant and also instructed the complainant to handover the said amount to Sri Simma Vishnu Murthy, Sri Annepu Krishna Rao also assured the complainant that he would approve his bill by getting back the same from the Assistant Engineer. Sri Pyla Krishna Rao and Sri Simma Vishnu Murthy went into the room of Sri Simma Vishnu Murthy, which is located just opposite to the room of Superintending Engineer-II (Works). Sri Simma Vishnu Murthy asked Sri Pyla Krishna Rao to handover the said bribe amount. Sri Pyla Krishna Rao gave the tainted currency. Sri Simma Vishnu Murthy received the said currency with his right hand, counted with both his hands and handed over the said amount to Sri Udeti Appala Raju, Mazdoor, who is standing just in front of his office room, with instructions to keep the amount with him for some time. Sri Udeti Appala Raju, Mazdoor received the said amount with his left hand, changed to his right hand and kept the same in his right side trouser pocket.

6. And whereas, at the instance of Deputy Superintendent of Police, Anti Corruption Bureau, the hand fingers of Sri Annepu Krishna Rao, Superintending Engineer-II (Works) yielded negative result where as the both hand fingers of Sri S.Vishnu Murthy and Sri U.Appala Raju, Mazdoor yielded positive result, when subjected to chemical test. The bribe amount of Rs.14,000/- was recovered from the right side trouser pocket of Sri Udeti Appala Raju, at his instance. The Deputy Superintendent of Police, seized the tainted cash of Rs.14,000/-, trouser of Sri Udeti Appala Raju and the other connected records, in the presence of mediators under the cover of mediators report No.2, dated 07.03.2011.

7. And whereas, during the course of post trap proceedings, some slips, which in the handwriting of Sri Simma Vishnu Murthy, containing the details of bribe amounts collected by Sri Annepu Krishna Rao, Superintending Engineer-II (Works) from the contractors, for doing official favour to approve their bills, were seized from the possession of Sri Annepu Krishna Rao, Superintending Engineer-II (Works). The concerned contractors were examined and the investigation disclosed that Sri Annepu Krishna Rao, Superintending Engineer-II (Works) has been habitually demanding and accepting bribe from the contractors at the time of approving their bills, through Sri Simma Vishnu Murthy, Mazdoor/ Incharge Work Inspector. Sri Simma Vishnu Murthy after receiving the bribe amount from the contractors, on the instructions of Sri Annepu Krishna Rao, used to write the details of the bribe on a separate paper slip and handover the same to Sri Annepu Krishna Rao, on each day evening.

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8. And whereas, the above said acts of Sri Annepu Krishna Rao, Superintending Engineer-II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam constitute offences punishable under section 7 & 13 (2) r/w Section 13 (1), (a), and (d) of the Prevention of Corruption Act, 1988.

9. And whereas, the Government of Andhra Pradesh, Hyderabad being the competent authority to remove the aforesaid Sri Annepu Krishna Rao, Superintending Engineer - II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam from the Government Service, after fully and carefully examining the material placed before them in respect of the above allegations and having regard to the facts and circumstances of the case, consider that the said Sri A.Krishna Rao, Superintending Engineer - II (Works) Greater Visakhapatnam Municipal Corporation, Visakhapatnam should be prosecuted in a Court of Law for the aforesaid offences.

10. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) the Govt. Andhra Pradesh, Hyderabad hereby accord sanction for the prosecution of the said Sri Annepu Krishna Rao, Superintending Engineer-II (Works), Greater Visakhapatnam Municipal Corporation, Visakhapatnam for the above said offences punishable under section 7 and sub-section (2) of section 13 read with clause (a) & (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of above said acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(Dr.S.K.JOSHI)
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Director General, ACB, Hyderabad.